IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH

THURSDAY, THE 7TH JUNE 2007 / 17TH JYAISHTA 1929

WP(C).No. 11790 of 2004(C)

PETITIONER:

PAAREL IMPORTS AND EXPORTS PVT. LTD.,
KRISHNANKOTTA ROAD, POYYA, TRICHUR DISTRICT,
REPRESENTED BY THE EXECUTIVE DIRECTOR, KURIAKOSE ELIAS, PAAREL HOUSE, RAILWAY STATION ROAD, IRINJALAKUDA, THRISSUR DISTRICT.

BY ADV. SRI.R.HARIKRISHNAN
N.ASHOKKUMAR
SINDHU LAKSHMI
SMT.R.REMA

RESPONDENTS:

THE CHIEF MANAGER,
STATE BANK OF TRAVANCORE, IRINJALAKUDA BRANCH,
IRINJALAKUDA.

BY ADV. SRI.M.PATHROSE MATTHAI (SR.)

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 07/06/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WP(C) NO: 11790/2004

APPENDIX

PETITIONER'S EXHIBITS

EXT.P1. COPY OF THE CIRCULAR ISSUED BY THE MINISTRY OF FINANCE, GOVT. OF INDIA, DT. 21/3/95.

EXT.P2. COPY OF THE CIRCULAR ISSUED BY THE RBI, DT. 6/2/87.

EXT.P2A. COPY OF THE CIRCULAR BY THE RBI, DT. 30/7/88.

EXT.P2B. COPY OF THE CIRCULAR BY RBI, DT. 8/6/89.

EXT.P2C. COPY OF THE CIRCULAR BY RBI DT. 8/1/91.

EXT.P2D. COPY OF THE CIRCULAR BY RBI DT. 3/7/93.

EXT.P3. COPY OF THE REPRESENTATION DT. 10/2/2004 BY THE PETITIONER TO THE RESPONDENT.

EXT.P4. COPY OF THE REPLY DT. 12/2/2004 BY THE RESPONDENT TO THE PETITIONER.

EXT.P5. COPY OF THE LETTER/REPLY DT. 14/2/2004 BY THE PETITIONER TO THE RESPONDENT.

EXT.P6. COPY OF THE LETTER DT. 9/2/2004 BY THE KERALA FINANCIAL CORPORATION TO THE PETITIONER.

EXT.P7. COPY OF THE CIRCULAR BY THE RBI DT. 16/1/2002.

True copy

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KURIAN JOSEPH J.

W.P.(C) No.11790 of 2004

Dated 7th June, 2007.

J U D G M E N T

The writ petition is filed mainly with the following prayers :-

> (i) "Issue a writ of mandamus or any other appropriate writ order or direction to the respondent to allow the petitioner to operate the current account which will be free from the incidents of the banker's lien so as to enable the petitioner to carry on its normal day to day business transactions, to obtain letters of credit at full margin and to enable payment of statutory outgoings, taxes, wages, salaries, raw materials etc.
>
> (ii) to issue a writ of mandamus or any other appropriate writ, order or direction to the respondent to conduct a technical study on the viability of petitioner's small scale industry on the basis of Exts.P1, P2 series, P3, P4, P5, P7 and consider the request for financial assistance".

In view of the intervening developments, in case the petitioner has still any grievance left, the petitioner may approach the respondent, in which case, the matter will be duly considered by the respondent.

The writ petition is disposed of as above.

KURIAN JOSEPH, JUDGE.

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KURIAN JOSEPH, J.

O.P. NO. OF 2003

J U D G M E N T

Dated 7th June, 2007.